

# EXHIBIT A

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Facsimile: (559) 437-1720

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Fresno, California 93755-5637  
Telephone: (559) 436-3800  
Facsimile: (559) 436-4800

Attorneys for Plaintiffs  
BEAUMONT RV, INC.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

\* \* \*

BEAUMONT RV, INC.,  
a California Corporation,  
  
Plaintiff,  
  
v.  
  
CARBON EMERY RV, INC., a Utah  
Corporation.  
  
Defendant.

**Case No. 1:22-CV-00073-AWI-HBK**  
  
**DECLARATION OF MARK D. MILLER  
IN SUPPORT OF OPPOSITION TO  
DEFENDANT CARBON EMERY RV,  
INC.'S MOTION TO DISMISS THE  
COMPLAINT**

**Date: April 25, 2022**  
**Time: 1:30 p.m.**  
**Judge: Hon. Anthony Ishii**  
**Courtroom: 2**

**Complaint Filed: January 17, 2022**

I, Mark D. Miller, declare:

1. I am an attorney at law duly licensed to practice before all of the courts of the state of California and before this District, and am a member of the law firm of Sierra IP Law, PC, attorneys for plaintiff BEAUMONT RV, INC. ("Beaumont").

2. On April 6 and 7, 2022, while in Fresno, California I visited the web site of [www.epicrv.com](http://www.epicrv.com) and downloaded copies of several pages from the web site.

3. Attached hereto as **Exhibit A** and incorporated herein by this reference is a copy of an on-line credit application form downloaded from the [www.epicrv.com](http://www.epicrv.com) website entitled “EPIC RV Secure Finance Application”. The actual page is interactive, allowing a user to input considerable sensitive personal and financial information.

4. Attached hereto as **Exhibit B** and incorporated herein by this reference is a copy of a page downloaded from the [www.epicrv.com](http://www.epicrv.com) website entitled “EPIC RV - RV Parts & Accessories For Sale in Helper, UT”. The page includes the language “...or send us a parts request using the online tool linked below!” and includes a link to an on-line parts request form.

5. Attached hereto as **Exhibit C** and incorporated herein by this reference is a copy of a page downloaded from the [www.epicrv.com](http://www.epicrv.com) website entitled “EPIC RV Parts Request” from the link referred to in Exhibit B above. The actual page is interactive, allowing a user to order parts on line.

6. Attached hereto as **Exhibit D** and incorporated herein by this reference is a copy of a page downloaded from the [www.epicrv.com](http://www.epicrv.com) website entitled “EPIC RV Policies – Shipping and Handling”.

7. Attached hereto as **Exhibit E** and incorporated herein by this reference is a copy of a page downloaded from the [www.epicrv.com](http://www.epicrv.com) website entitled “Privacy Statement”. This privacy notice includes a section entitle “Privacy Notice for California Residents” and includes disclosures called for by the California Consumer Privacy Act (CCPA) on pp. 5-8.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct; that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that this declaration was executed this 7th day of April, 2022, at Fresno, California.

/Mark D. Miller/  
Mark D. Miller

# EXHIBIT A



## Secure Finance Application

Finance Type

Individual



### Statement of Consent

I certify that the information provided by me is correct. I also understand that you will be checking with credit reporting agencies. I authorize an investigation of my credit and employment history and the release of information about my credit experience.

Please initial below to indicate that you have received a copy of our [Privacy Notice](#) and agree to all of the above.

YOUR CREDIT APPLICATION IS GOING THROUGH A SECURE WEBSITE AND YOUR IDENTITY IS SAFE

Initial Here

### Vehicle Information

Type

Please Select



Condition

Select Condition



Year

2022



Make



Select Make



Model



Select Model



Down Payment

\$

### Your Contact Information

Name As It Appears on Driver's License

First Name

Middle Name

Last Name

Driver's License

Work Phone	<input type="text" value="XXX-XXX-XXXX"/>	
Residence Phone	<input type="text" value="XXX-XXX-XXXX"/>	
E-mail	<input type="text"/>	
Social Security Number	<input type="text" value="XXX-XX-XXXX"/>	
Male / Female	<input type="text" value="Please Select"/> ▼	
Date of Birth	<input type="text"/>	
Marital Status	<input type="text" value="Please Select"/> ▼	
Physical Address Information		
Physical Address	<input type="text"/>	
City	<input type="text"/>	
State	<input type="text" value="Please Select"/> ▼	
Zip	<input type="text"/>	
County	<input type="text"/>	
Housing Information		
Do you Rent or Own your home, or other?	<input type="text" value="Please Select"/> ▼	
LandLord / Mortgage Holder	<input type="text"/>	
Rent / Mortgage Monthly Amount	<input type="text"/>	
Mortgage Balance	<input type="text"/>	
Time at Current Residence	<input type="text" value="Years"/> ▼	<input type="text" value="Months"/> ▼
Previous Residence (If less than 5 years at Current Residence...)		
Address	<input type="text"/>	
City	<input type="text"/>	
State	<input type="text" value="Please Select"/> ▼	
Zip	<input type="text"/>	
How long at Previous Residence	<input type="text" value="Years"/> ▼	<input type="text" value="Months"/> ▼

## Banking Information

Name Of Bank

Account Types

Name Of Bank

Account Types

## Employer Information

Occupation

Employer Name

Employer Address

Employer City

Employer State

Employer Zip

Employer Phone

Salary (Annually Gross)

\$

Time at Employer

Type of Employment

Other Income

\$

Other Income Frequency

## Additional Comments

Please include any information that you feel may help us process your application.

## References

Name

Phone

City

State

---

Name

Phone

City

State

Please Select ▼

---

Name

Phone

City

State

Please Select ▼

---

Name

Phone

City

State

Please Select ▼

---

Submit

---

\* indicates required field



# EXHIBIT B



(/map-

hours-



direction

(tel:4354722000

rvs-

dealersl

-hours)

## RV Parts & Accessories For Sale in Helper, UT

Whether you need repairs or maintenance, or you're looking to customize your RV, Epic RV is proud to carry a wide selection of OEM parts and accessories so you can maintain your RV and make it your own. If we don't have a part or accessory it in stock, we're happy to order it for you and have it delivered from our dealership in Helper, near Provo, UT!

Our knowledgeable RV parts staff is ready to help you find the right parts and accessories to keep your RV running in optimal condition! If you need help with repairs or installations, check out our service and repairs center.

### Ordering Parts Online!

To get the OEM parts and accessories you need for your RV, you can always give us a call at (435) 472-2000, come on in, or send us a parts request using the online tool linked below! Epic RV is a brand new dealership located in Helper, near Provo, UT, so stop by today to learn more about what we can do to help maintain your RV!

[PARTS REQUEST \(/REQUEST-PARTS-RVS-DEALERSHIP--XPARTS\\_REQUEST\)](#)

## Contact

5129 North Hwy 6  
Helper, UT (Utah) 84526  
.....  
(/map-hours-directions-rvs-  
dealership--hours)

**435-472-2000**

**(tel:4354722000)**



(<https://www.facebook.com/EpicRVHelper/>)



(<https://www.instagram.com/epicrvhelper/>)

## Quick Links

New Inventory (/--inventory?  
condition=new)

Pre-Owned (/--inventory?  
condition=pre-owned)

Credit Application (/credit-  
financing-rvs-dealership--  
apply-for-finance)

Service (/service-repair-rvs-  
dealership--service)

Parts (/parts-rvs-dealership--  
parts)

About Us (/about-us-rvs-dealership--info)  
Contact Us (/contact-email-rvs-dealership--xcontact)

## Shop

Fifth Wheels (/--inventory?subcategory=fifth%20wheel)  
Travel Trailers (/--inventory?subcategory=travel%20trailer)  
Fifth Wheel Toy Haulers (/--inventory?subcategory=fifth%20wheel%20-%20toy%20hauler)  
Travel Trailer Toy Haulers (/--inventory?subcategory=travel%20trailer%20-%20toy%20hauler)  
Cargo Trailers (/--inventory?category=cargo%20trailer)

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Policy (/read-our-policy-statement--xpolicy)

|

Privacy (/read-our-  
privacy-statement--  
xprivacy)

|

Terms (/read-our-terms-  
and-conditions--xterms)

Accessibility (/read-our-  
accessibility-statement--  
accessibility)

|

Site Map (/default.asp?  
page=xInventoryMap)

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RV

(<https://www.dealerspike.com/rv>)

# EXHIBIT C



(/map-

hours-



direction

(tel:4354722000

rvs-

dealersl

-hours)

## Parts Request

Asterisk indicates Required Field

First Name

\*

Last Name

Email

\*

Phone

Address

City

State

Zip Code

## Type of Vehicle

Make	*
Model	*
Year	*
Vin#	
Miles	

## Parts Needed

Do you have a part number?
What kind of parts are needed?

Subscribe to Newsletter: ☒

SUBMIT

Epic RV is committed to your privacy.

[View Privacy Statement \(/read-our-privacy-statement-xprivacy\)](/read-our-privacy-statement-xprivacy)

---

## Contact

5129 North Hwy 6  
Helper, UT (Utah) 84526  
(/map-hours-directions-rvs-dealership--hours)  
**435-472-2000**  
**(tel:4354722000)**





(<https://www.facebook.com/EpicRVHelper/>)



(<https://www.instagram.com/epicrvhelper/>)

## Quick Links

New Inventory (/--inventory?  
condition=new)

Pre-Owned (/--inventory?  
condition=pre-owned)

Credit Application (/credit-  
financing-rvs-dealership--  
apply-for-finance)

Service (/service-repair-rvs-  
dealership--service)

Parts (/parts-rvs-dealership--  
parts)

About Us (/about-us-rvs-  
dealership--info)

Contact Us (/contact-email-  
rvs-dealership--xcontact)

## Shop

Fifth Wheels (/--inventory?  
subcategory=fifth%20wheel)

Travel Trailers (/--inventory?  
subcategory=travel%20trailer)  
Fifth Wheel Toy Haulers (/--  
inventory?subcategory=fifth%  
20wheel%20-%20toy%  
20hauler)  
Travel Trailer Toy Haulers (/--  
inventory?  
subcategory=travel%20trailer%  
20-%20toy%20hauler)  
Cargo Trailers (/--inventory?  
category=cargo%20trailer)

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Policy (/read-our-policy-  
statement--xpolicy)

|

Privacy (/read-our-  
privacy-statement--  
xprivacy)

|

Terms (/read-our-terms-  
and-conditions--xterms)

Accessibility (/read-our-  
accessibility-statement--  
accessibility)

|

Site Map (/default.asp?  
page=xInventoryMap)

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(<https://www.dealerspike.com/rv>)

# EXHIBIT D



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-hours)

## Policies

### Shipping and Handling

**Shipping and Handling Charges:** Shipping and handling charges are based on total price of your order. Oversized or heavy items may have an additional shipping cost. This charge may not be calculated until the order is being prepared.

We will notify you if there is an increase in the shipping charge for your order prior to billing and shipping.

**Shipment By UPS:** We ship via UPS Ground or US Postal Service in the continental US. Shipments to Alaska & Hawaii and International orders will have an additional shipping cost applied.

**Delivery Time:** Allow 4-10 business days for delivery of non-backordered items in the continental US. Allow additional time for shipments to Alaska, Hawaii and International Orders.

**Consolidated Shipments:** Entire orders will be shipped together if possible.

### Returns and Exchanges

**General:** All returns must be postmarked no later than 30 days from the original customer shipment date. Returns and exchanges must be in new condition and must include all instructions and original packing material. Customer pays all return shipping charges. Include a copy of your packing list with all returns.

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Original shipping and handling charges are not refundable. Returns must be preauthorized by us and are subject to a 15% re-stocking fee. These amounts will be deducted from the original amount billed and the remaining balance will be credited to the original credit card.

**Incorrect Item:** If you received an incorrect item no extra charges will be incurred. We will replace incorrect items and pay the additional shipping charge.

**Incorrect Size:** No charge for exchange. We will exchange customer orders that do not fit, if the customer requests the same item in a different size. Customer pays all shipping charges.

**Customer Order Error:** Incorrect customer orders can be exchanged for any other item without paying the restocking charge. However, the customer will pay the additional shipping and handling charge. The replacement item must be at least 75% of the value of the original item.

**Return Shipping Instructions:** Return via prepaid UPS or US mail. Insure shipment for full value of purchase. Use original packaging. We are not responsible for packages lost during return shipping.

**Return/Exchange Instructions:** Enclose a copy of your packing list or E-mail Invoice along with detailed return/exchange instructions. Send exchanges and returns to dealership.

## Sales Tax

Sales tax is charged on instate orders if required by law.

## Payment Methods

Orders accepted via secure online order form only. Most major credit cards are accepted. Credit card purchases verified for your protection.

## Backorders Items

**Backorders:** If an item is backordered, we will notify you via e-mail. Shipments scheduled more than 30 days after the order date: We will notify you via email and give you a cancellation option. **Filling backorders:** Backorders will be filled before new orders when the backordered items become available.

## Secured Online Shopping

We guarantee your order's privacy and security over the web, with all transactions utilizing an SSL secure server connection. Verisign, Inc., provides our Secure Server Certificate through Dealer Spike, LLC.

## Policies

Individual product descriptions are claims of the manufacturer and/or distributor and are not guaranteed accurate. Prices subject to change without notice. Mistakenly posted prices and/or options on the website do not obligate us to those incorrect prices and/or options. We reserve the right to refuse to sell to anyone for any reason.

## Contact

5129 North Hwy 6  
Helper, UT (Utah) 84526  
.....  
(/map-hours-directions-rvs-  
dealership--hours)

**435-472-2000**

**(tel:4354722000)**



(<https://www.facebook.com/EpicRVHelper/>)



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dealership--service)

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parts)

About Us (/about-us-rvs-dealership--info)  
Contact Us (/contact-email-rvs-dealership--xcontact)

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Fifth Wheels (/--inventory?subcategory=fifth%20wheel)  
Travel Trailers (/--inventory?subcategory=travel%20trailer)  
Fifth Wheel Toy Haulers (/--inventory?subcategory=fifth%20wheel%20-%20toy%20hauler)  
Travel Trailer Toy Haulers (/--inventory?subcategory=travel%20trailer%20-%20toy%20hauler)  
Cargo Trailers (/--inventory?category=cargo%20trailer)

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Policy (/read-our-policy-statement--xpolicy)

|



Privacy (/read-our-  
privacy-statement--  
xprivacy)

|

Terms (/read-our-terms-  
and-conditions--xterms)

Accessibility (/read-our-  
accessibility-statement--  
accessibility)

|

Site Map (/default.asp?  
page=xInventoryMap)

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(<https://www.dealerspike.com/rv>)

# EXHIBIT E



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-hours)

## Privacy Statement

This privacy statement discloses the privacy practices for Dealer Spike, LLC and Epic RV. Dealer Spike, LLC and Epic RV promote the use of fair information practices. Because Dealer Spike, LLC and Epic RV are committed to your privacy, we have agreed to disclose our information practices.

### INFORMATION COLLECTION AND USE:

Dealer Spike, LLC is the sole owner of the information collected on this site. Dealer Spike, LLC and Epic RV will not sell, share, or rent this information to others in ways different from what is disclosed in this statement. Dealer Spike, LLC and Epic RV collect information from our users at several different points on the web site.

### VEHICLE QUOTE REQUESTS:

In order to obtain a vehicle price quote, a user must first complete a Quote Request Form. A user is required to give their contact information (such as name, address, telephone number and e-mail address). This information is used to contact the user and provide the quote or other information that they have requested. It is optional for the user to provide financial information, but can be done so that Epic RV can review and pre-qualify the user for financing if they are interested. All customer information obtained via the quote request form is encrypted for security purposes and stored on a secured server.

## ORDERS:

Information is requested from the user on the e-Catalog order form. Here a user must provide contact information (like name and shipping address) and financial information (like credit card number, expiration date). This information is used for billing purposes and to fill customer's orders. If Epic RV has trouble processing an order, this contact information is used to get in touch with the user. All customer information obtained via the order form is encrypted for security purposes and stored on a secured server.

## COOKIES:

A cookie is a piece of data stored on the user's hard drive containing information about the user. Usage of a cookie is in no way linked to any personally identifiable information while on our site. Once the user closes their browser, the cookie simply terminates. For example, a cookie is used to store items during e-Catalog shopping so that a list of what you are ordering is maintained. If a user rejects the cookie, they may still use the site. The only drawback to this is that the user will be limited in some areas of our site. For example, the user, may not be able to use the e-Catalog shopping basket function on the site. Cookies can also enable us to track and target the interests of our users to enhance the experience on the site.

## LOG FILES:

We use IP addresses to analyze trends, administer the site, track user's movement, and gather broad demographic and geographic information for aggregate use. IP addresses are not linked to personally identifiable information.

## SHARING:

We may share demographic information with our partners and advertisers. This is generally not linked to any personal information that can identify any individual person. However, Dealer Spike, LLC and/or Epic RV may send E-mails or mail about special offers at the Dealership or other offers or information that may be of interest to the user based on the information we collect. Epic RV uses an outside company (such as UPS, USPS, Fed Ex. etc.) to ship orders, and a credit card processing company to bill users for goods and services. These companies do not to our knowledge, retain, share, store or use personally identifiable information for any secondary purposes.

We may partner with another party to provide specific services. When the user signs up for these services, we will share names, or other contact information that is necessary for the third party to provide these services. These parties are not allowed to use personally identifiable information except for the purpose of providing these services.

## LINKS:

This web site contains links to other sites. Please be aware that Dealer Spike, LLC and Epic RV are not responsible for the privacy practices of such other sites. We encourage our users to read the privacy statements of every web site that collects personally identifiable information. This privacy statement applies solely to information collected by this web site.

## SURVEY AND CONTESTS:

From time to time, our site requests information from users via surveys or may offer contests. Participation in these surveys or contests is completely voluntary and the user therefore has a choice whether or not to disclose this information. Information requested may include contact information (such as name and shipping address) and

demographic information (such as zip code and age level). Contact information will be used to notify the winners and award prizes. Survey information will be used for purposes of monitoring or improving the use and satisfaction of this site.

## NOTIFICATION OF CHANGES:

If we decide to change our privacy policy, we will post those changes here so our users are always aware of what information we collect, how we use it, and under circumstances, if any, we disclose it.

## SECURITY:

This web site takes every precaution to protect our users' information. When users submit sensitive information via the web site, their information is protected both online and off-line.

When our quote request or order form asks users to enter sensitive information (such as credit card number and/or social security number), that information is encrypted and is protected with the best encryption software in the industry - SSL. While on a secure page, such as our order form, the lock icon on the bottom of Web browsers such as Netscape Navigator and Microsoft Internet Explorer becomes locked, as opposed to unlocked, or open, when you are just "surfing".

While we use SSL encryption to protect sensitive information online, we also do everything in our power to protect user-information off-line. All of our users' information, not just the sensitive information mentioned above, has restricted access at Dealer Spike, LLC and at the dealership. Only employees who need the information to perform a specific job (for example, order clerk, sales representative, or a customer service representative) are granted access to personally identifiable information. Access to the information is made via a password-protected site. Each time an employee needs to access information, they must enter their password to gain access to the information. Furthermore, employees are kept up-to-date on our security and privacy practices. Employees are periodically notified and/or reminded about the importance we place on privacy, and what they can do to ensure our customers' information is protected.

## SUPPLEMENTATION OF INFORMATION:

In order for this web site to properly fulfill its obligation to our customers, it may be necessary for us to supplement the information we receive with information from third party sources.

For example, to determine if customers qualify for financing, the dealership may use their name and social security number to request a credit report or approval from a lending institution.

## SITE AND SERVICE UPDATES:

Dealer Spike, LLC and Epic RV may send the user site and service announcement updates which contain important information about the service. We communicate with the user to provide requested services and in regard to issues relating to their account via e-mail or phone.

## CORRECTING / UPDATING PERSONAL INFORMATION:

If a user's personally identifiable information changes (such as address or E-mail), or if a user no longer desires to receive information from Dealer Spike, LLC and Epic RV, we will endeavor to correct, update or remove that user's personal data from our database.

# Privacy Notice for California Residents

**Effective Date: January 1st, 2020**

This **Privacy Notice for California Residents** supplements and is expressly made part of the information contained in the Privacy Policy (/--xPrivacy) and applies solely to all visitors, users, and others who reside in the State of California ("consumers" or "you"). We adopt this Notice to comply with the California Consumer Privacy Act of 2018 (CCPA). Any terms defined in the CCPA have the same meaning when used in this Notice.

## Information We Collect

Our Websites collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device ("personal information"). In particular, our Websites have collected the following categories of personal information from its consumers within the last twelve (12) months:

Category	Collected
A. Identifiers	Yes
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	Yes
C. Protected classification characteristics under California or federal law.	No
D. Commercial information.	Yes
E. Biometric information.	No
F. Internet or other similar network activity.	Yes
G. Geolocation data.	Yes
H. Sensory data.	No
I. Professional or employment-related information.	Yes
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Yes
K. Inferences drawn from other personal information.	Yes

Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
  - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;

- personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

Dealer Spike, LLC obtains the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete or products and services you purchase.
- Indirectly from you. For example, from observing your actions on our Websites.
- From third-party business partners such as social media sites, ad networks, and analytics providers.

## Use of Personal Information

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request a price quote or ask a question about our products or services, we will use that personal information to respond to your inquiry. If you provide your personal information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To provide, support, personalize, and develop our Websites, products, and services.
- To create, maintain, customize, and secure your account with us.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your Website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our Websites, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our Websites, products and services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Websites, products, and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Dealer Spike, LLC, assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Dealer Spike, LLC, about our Website users is among the assets transferred.

Dealer Spike, LLC, will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

## Sharing Personal Information

Dealer Spike, LLC, may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Service providers.
- Data aggregators.

## Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, Dealer Spike, LLC, has disclosed the following categories of personal information for a business purpose:

- Category A: Identifiers.
- Category B: California Customer Records personal information categories.
- Category D: Commercial information.
- Category F: Internet or other similar network activity.
- Category G: Geolocation data.
- Category K: Inferences drawn from other personal information

We disclose your personal information for a business purpose to the following categories of third parties:

- Service providers.

## Sales of Personal Information

In the preceding twelve (12) months, Dealer Spike, LLC, has not sold personal information.

## Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

### Access to Specific Information and Data Portability Rights

You have the right to request that Dealer Spike, LLC, disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
  - sales, identifying the personal information categories that each category of recipient purchased; and
  - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

### Deletion Request Rights

You have the right to request that Dealer Spike, LLC, delete any of your personal information that we collected from you within the last 12 months and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:



1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

## Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by filling out the Consumer Privacy form (/--xconsumerprivacy).

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with us.

We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

## Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

## Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives permitted by the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

## Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Websites that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [support@dealerspike.com](mailto:support@dealerspike.com)

## Changes to Our Privacy Notice

Dealer Spike, LLC, reserves the right to amend this privacy Notice at our discretion and at any time. When we make changes to this privacy Notice, we will post the updated Notice on the Websites and update the Notice's effective date. **Your continued use of our Websites following the posting of changes constitutes your acceptance of such changes.**

## Contact Information

If you have any questions or comments about this Notice, the ways in which Dealer Spike, LLC, collects and uses your information described above, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: +1 800.288.5917

Email: [support@dealerspike.com](mailto:support@dealerspike.com)

Updated: January 18th, 2021

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## Contact

5129 North Hwy 6  
Helper, UT (Utah) 84526  
(/map-hours-directions-rvs-  
dealership--hours)

**435-472-2000**

**(tel:4354722000)**



(<https://www.facebook.com/EpicRVHelper>)



(<https://www.instagram.com/epicrvhelper/>)

## Quick Links

New Inventory (/--inventory?  
condition=new)

Pre-Owned (/--inventory?  
condition=pre-owned)

Credit Application (/credit-  
financing-rvs-dealership--  
apply-for-finance)

Service (/service-repair-rvs-  
dealership--service)

Parts (/parts-rvs-dealership--  
parts)

About Us (/about-us-rvs-dealership--info)  
Contact Us (/contact-email-rvs-dealership--xcontact)

## Shop

Fifth Wheels (/--inventory?subcategory=fifth%20wheel)  
Travel Trailers (/--inventory?subcategory=travel%20trailer)  
Fifth Wheel Toy Haulers (/--inventory?subcategory=fifth%20wheel%20-%20toy%20hauler)  
Travel Trailer Toy Haulers (/--inventory?subcategory=travel%20trailer%20-%20toy%20hauler)  
Cargo Trailers (/--inventory?category=cargo%20trailer)

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Policy (/read-our-policy-statement--xpolicy)

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Privacy (/read-our-  
privacy-statement--  
xprivacy)

|

Terms (/read-our-terms-  
and-conditions--xterms)

Accessibility (/read-our-  
accessibility-statement--  
accessibility)

|

Site Map (/default.asp?  
page=xInventoryMap)

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